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Scott W. Kelley
Scott W. Kelley, Reg. No. 30,762

December 2, 2004
Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

RODNEY K. MOORE, ALLEN R. HECHT
and THOMAS P. RILEY

Serial No. 10/672,485

Filed: September 25, 2003

For: COMPUTER GAME DISPLAY
SYSTEM AND PROCESSES, IN
ELECTRONICALLY-CONTROLLED
MULTI-PARTICIPANT GAME CONTESTS,
FOR AGGREGATING AND COMPOSING
A COMMON DISPLAY AND FOR
INCORPORATING VIRTUAL
PARTICIPANTS IN THE CONTEXT OF
GAMES/CONTESTS INVOLVING ACTIVE
PARTICIPANTS

Group Art Unit: 3713

Examiner: Kim T. Nguyen

Docket No. WINNO-44706

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(b)
TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Scott W. Kelley, represent that I am the attorney of record for this
invention.

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The assignee of the entire right, title and interest in the invention and the above-identified application is Winnovations, LLC, 16209 Victory Boulevard, Suite 242, Van Nuys, California 91406. The assignment was recorded on May 26, 2004, Reel 14690, Frame 306 (8 pages).

DISCLAIMER

The terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the fully statutory term defined in 35 U.S.C. 154 to 156 and 173 of the patent forming the basis of the double patenting rejection, namely United States Patent No. 6,729,959, is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,729,959, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the patent or application forming the basis of the double patenting rejection, namely United States patent No. 6,729,959, in the event that it later: expires for failure to pay a maintenance fee, is held

unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a re-examination certificate, is reissued in any manner or is terminated prior to expiration of its fully statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Attached is a check in the sum of \$55.00.

A duplicate of this disclaimer is attached.

Respectfully submitted,

KELLY LOWRY & KELLEY, LLP

A handwritten signature in black ink, appearing to read "Scott W. Kelley", is written over the printed name.

Scott W. Kelley
Registration No. 30,762
Attorney for Applicant

SWK/maf
Attachments

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